



OFFICE OF THE DISTRICT ATTORNEY
Milwaukee County

JOHN T. CHISHOLM · District Attorney

Chief Deputy Kent L. Lovern, Deputies James J. Martin, Patrick J. Kenney, Lovell Johnson, Jr., Jeffrey J. Altenburg

October 19, 2012

Chief Edward Flynn
Milwaukee Police Department
749 W State St Rm 716
Milwaukee WI 53233

RE: Milwaukee Police Officers James Jordan (Employee #019726), Michael Connell (Employee #018625) and Blake Kasberger (Employee #019727), and the In-Custody Death of John A. Kriewaldt (d.o.b. 11-11-1981)

Dear Chief Flynn:

I participated in the investigation related to the use of force in connection with the above-referenced matter and have reviewed the reports and interviews related to the incident.

My investigation revealed that on July 28, 2012, Mr. John Kriewaldt was at the Thurston Group Home, located at 5734 N. 94th Street, Milwaukee, when Milwaukee police were contacted for assistance by employees at the home. John had a history of bi-polar disorder, autism, seizures and was mildly mentally challenged. John was well cared for primarily by his mother, Helen Kriewaldt, on a 24-hour basis, but because Ms. Kriewaldt's mother was terminally ill, she sought assistance on occasion from the group home. On July 19, 2012, John had been released from the group home back to the custody of his mother. Ms. Kriewaldt called police on July 28, 2012, at around 4:00pm, and said her son was acting strange. Officers went to the house, at 2253A S. Muskego Avenue, Milwaukee, and conducted a scene investigation. John was not taken into custody at that time.

Ms. Kriewaldt then conveyed John to the Thurston Group Home at approximately 5:00pm and told them he was acting violent, not taking his medications, breaking things in the house and eating his own feces. The group home continued having problems and they called 911 at approximately 10:00pm, saying John was being combative and was forcing himself to vomit.

Officers responded to the scene at 10:07pm and John walked up to one of the officers and slapped him. He was then handcuffed and taken into custody. He was placed in the back of a squad and police continued their investigation. While John was seated in the squad he was beating his head against the cage and "opened up his head." They sent for additional squads and removed the subject from the squad. Officers called for medical assistance at approximately 10:30pm and Paratech ambulance responded to the scene. While they were attending to him, John went unresponsive. Paratech personnel called for the Milwaukee Fire Department and a med unit responded. They recovered a faint pulse and John was transported to St. Joseph's Hospital. Mr. Kriewaldt subsequently was pronounced dead by attending physician Dr. Nena McElroy on July 30, 2012 at 10:39pm at St. Joseph's Hospital.

As part of my investigation, I or members of my staff personally interviewed Officers James Jordan, Michael Connell and Blake Kasberger, as well as citizen witnesses Kenneth Gold and

Donald S. Jackson
Gale G. Shelton
Gary D. Mahkorn
David Robles
Cynthia G. Brown
Norman A. Gahn
Steven H. Glamm
Mark S. Williams
John M. Starba
Thomas L. Potter
David Neiss
Rayann Chandler Szychinski
Carole Manchester
Kenneth R. Berg
Warren D. Zier
Timothy J. Colter
Steven V. Licata
Brad Vorpath
Paul Tiffin
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Zach Whitney
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Nicolle J. Sheldon
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Meghan C. Lindberg
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Ann M. Lopez
Brian Simmons
Peter M. Tempels
Matthew G. Puthukulan
Jeremiah C. Van Heck
Randy Sitzerberger
Karyn E. Beiling
Kasey M. Deiss
Nicolas J. Hoffman
Chad Wozniak
Estee E. Hart
Kristin M. Schrank
Caitie E. Hartley
Francesco G. Mineo
Jane Christoperson
Tyrone M. St. John
Hanna R. Kolberg
Joshua M. Matthy
Antonella Schildgen
Cynthia M. Davis
Kristen Reddinger
Jessica A. Ballenger
William H. Levins
Matthew R. Westphal
Catalin A. Ringersma
Sara Volden Schroeder
Abbey Marzick

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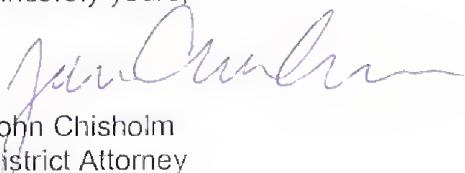
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Stephen Mnyapara, both employees of the Phoenix Corporation, which runs the Thurston Group Home. The officers confirmed that they did use restraint on John Kriewaldt by placing him in handcuffs and removing him from the squad after he was initially placed there because he was injuring himself by intentionally hitting his head against the car. While outside the car the officers restrained John until medical assistance arrived.

In addition, on August 20, 2012, September 24, 2012 and October 16, 2012, I met with Ms. Kriewaldt, mother of John Kriewaldt, and other members of her family. On September 24, 2012, Dr. Brian L. Peterson, the medical examiner who conducted the autopsy on John Kriewaldt, joined our meeting to address any questions Ms. Kriewaldt had concerning his conclusion that the cause of death was complications from lobar pneumonia. At that time, I explained to Ms. Kriewaldt that my investigation showed that at no time did Officers Jordan, Connell or Kasberger use unreasonable force with regard to John Kriewaldt.

Based upon my review of the information gathered through the investigation of this incident, as well as the credibility of both the officers involved and Messrs. Gold and Mnyapara, I am satisfied that Officers Jordan, Connell and Kasberger committed no crime in connection with this incident and that their use of force, to the extent any was actually used, was completely appropriate given the circumstances. I therefore leave to your discretion the decision to return Officers Jordan, Connell and Kasberger to full duty.

Sincerely yours,



John Chisholm
District Attorney

cc: Deputy District Attorney Jeffrey J. Altenburg
Assistant Chief James Harpole
Assistant Chief Patrick Mitchell
Attorney Jonathan Cermele